

REMARKS/ARGUMENTS

The Applicants originally submitted Claims 1-20 in the application. In the current response, the Applicants have amended Claims 1 and 11. Support for the amendment can be found, for example, in paragraphs 11, 26, and 40-41 of the original specification. No other claims have been canceled or added. Accordingly, Claims 1-20 are currently pending in the application.

I. Rejection of Claims 1-4 and 7-10 under 35 U.S.C. §101

The Examiner has rejected Claims 1-4 and 7-10 under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. In response, the Applicants have amended independent Claim 1 to more clearly point out a data structure embodied in a computer-readable media. Thus, amended independent Claim 1 now describes a data structure which causes functional change to the processor. As such, Claim 1 now complies with §101. Accordingly, the Applicants respectfully request the Examiner to withdraw the §101 rejection with respect to Claims 1-4 and 7-10 and allow issuance thereof.

II. Rejection of Claims 1-3, 7-9, 11-13, and 17-19 under 35 U.S.C. §102

The Examiner has rejected Claims 1-3, 7-9, 11-13, and 17-19 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,568,644 to Nelson, *et al.* The Applicants respectfully disagree since Nelson, as applied by the Examiner, does not teach a condition management data structure associated with a hierarchical register consolidation structure as recited in now amended independent Claims 1 and 11.

The Examiner relies on Figure 1A and column 3, lines 9-15 of Nelson to teach a condition

management structure associated with a hierarchical register consolidation structure. (See Final Rejection of October 18, 2007, page 5.) Here Nelson teaches the interrupt dispatching portion is incorporated into a hierarchical tree referred to as the Interrupt Source Tree (IST). The Examiner asserts this "hierarchical tree" provides an abstraction of a hierarchy used for managing interrupts. (See Final Rejection of October 10, 2007, page 5.) Even, assuming *arguendo* this to be true, Nelson does not teach a separate data structure associated with this hierarchical tree as is presently claimed. The condition management data structure as presently claimed is such a data structure that is both separate and associated with a hierarchical tree, *i.e.*, the hierarchical register consolidation structure. As such, Nelson does not anticipate independent Claims 1 and 11 and Claims that depend thereon. Accordingly, the Applicants respectfully request the Examiner to withdraw the §102(b) rejection of Claims 1-3, 7-9, 11-13, and 17-19 and allow issuance thereof.

III. Rejection of Claims 4-6, 10, 14-16, and 20 under 35 U.S.C. §103

The Examiner has rejected Claims 4-6, 10, 14-16, and 20 under 35 U.S.C. §103(a) as being unpatentable over Nelson as applied to Claims 1 and 11, and further in view of: U.S. Patent No. 5,805,889 to Van De Vanter for Claims 4 and 14; U.S. Patent No. 6,845,419 to Moyer for Claims 5-6 and 15-16; and U.S. Patent No. 4,768,149 to Konopik, *et al.* for Claims 10 and 20. The Applicants respectfully disagree.

As established above, Nelson does not teach a condition management data structure associated with a hierarchical register consolidation structure as recited in now amended independent Claims 1 and 11. Furthermore, it does not suggest the same. On the contrary, Nelson explicitly discloses a single hierarchical tree (IST) without an associated data structure embodied in a

computer-readable media for use with a processor that employs the hierarchical tree. Nelson relates to interrupt dispatching (*see* column 1, lines 9-10) but does not appear to be concerned with complex interrupt register structures wherein an associated overlay data structure is helpful in traversing. As such, Nelson does not teach or suggest each element of independent Claims 1 and 11.

The Applicants do not find where the above references cure the noted deficiencies of Nelson. Additionally, the above references have not been cited to cure the noted deficiencies of the independent claims but to teach the limitations of the above noted dependent claims. Thus, the cited combinations do not provide a *prima facie* case of obviousness of independent Claims 1 and 11 and Claims that depend thereon. Accordingly, the Applicants respectfully request the Examiner to withdraw the §103(a) rejection of Claims 4-6, 10, 14-16, and 20 and allow issuance thereof.

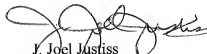
IV. Conclusion

In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 1-20.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395.

Respectfully submitted,

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